

July 15, 2003 CPC



STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

03SN0242

Genuine Auto Parts

Clover Hill Magisterial District
North line of Hull Street Road

REQUEST: Amendment to Conditional Use Planned Development (Case 98SN0176) relative to uses in a Light Industrial (I-1) District.

PROPOSED LAND USE:

Commercial uses, as restricted by the proffered condition, are planned. Specifically, with the approval of Case 98SN0176, the request site was limited to uses in the Light Industrial (I-1) District.

RECOMMENDATION

Recommend denial for the following reasons:

- A. The proposed uses do not comply with the Powhite/Route 288 Development Area Land Use and Transportation Plan which suggests that the property is appropriate for light industrial use.
- B. The proposed uses are not in conformance with the conditions of zoning approval relative to the location and land area of commercial development along the Hull Street Road frontage of the overall site.
- C. Approval of this request could set a precedent for additional commercial development along this portion of the Hull Street Road Corridor.

Providing a FIRST CHOICE Community Through Excellence in Public Service.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER(S) MAY PROFFER CONDITIONS.)

PROFFERED CONDITION

The Owner and Developer (the "Developer") in this zoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the development of part of the Property known as Chesterfield County Tax Identification Number 736-680-4744 (the "Property") under consideration will be developed according to the following conditions if, and only if, the rezoning request for proffer amendment is granted. In the event the request is denied or approved with conditions not agreed to by the Developer, the proffers and conditions shall immediately be null and void and of no further force or effect.

The application contains one exhibit described as follows:

Exhibit 1 – Plan titled "Plat Showing 1.02 Acres Located in the Clover Hill District of Chesterfield, Virginia, Prepared for the Purpose of Rezoning," prepared by E. D. Lewis & Associates, P.C. and dated January 29, 2003.

In addition to the uses permitted in Proffered Condition 14 of Case 98SN0176, C-2 uses (permitted by-right and with restrictions) shall be permitted on the 1.02 acre portion of Tract II-B shown on Exhibit 1. (P)

GENERAL INFORMATION

Location:

Located on the north line of Hull Street Road, east of Route 288. Tax ID 736-680-Part of 4744 (Sheet 16).

Existing Zoning:

I-1 with Conditional Use Planned Development

Size:

1.0 acre

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North, East and West - I-1 with Conditional Use Planned Development; Vacant
South - C-4 with Conditional Use; Vacant

UTILITIES

The use of the public water and wastewater systems is required by Case 98SN0176. (Proffered Condition 2 of Case 98SN0176)

ENVIRONMENTAL

The requested amendment will have no impact on these facilities.

PUBLIC FACILITIES

Fire Service:

The Clover Hill Fire/Rescue Station, Company Number 7, provides fire protection and emergency medical service (EMS). This request will have minimal impact on fire and EMS service.

Transportation:

In 1998, the Board of Supervisors approved rezoning (Case 98SN0176) on approximately 199 acres, generally located in the northeast quadrant of the Hull Street Road (Route 360)/Route 288 interchange, for development of a mixed use commercial and industrial project. The subject property, consisting of approximately one (1) acre, was included in the 199 acre rezoning case. In conjunction with that rezoning, the Board accepted transportation related proffers, including conditions that establish a maximum density of development, and provide for right of way dedications, access controls and road improvements. In conjunction with development that has occurred on the property, many of these conditions have been satisfied.

The property is currently zoned Light Industrial (I-1) with a Conditional Use Planned Development that permits various land uses to be developed. The applicant intends to develop the property as a motor vehicle accessory store. The applicant is specifically requesting modification of an existing proffer (Proffered Condition 14) to allow, in addition to those uses currently permitted on the property, all Neighborhood Business (C-2) uses. The requested amendment will not affect any transportation related conditions. Because of the maximum density condition on the property, these additional uses will have no additional impact on the anticipated traffic generated by development. Vehicles generated by this development will be distributed along Route 360, which had a 2001 traffic count of 45,015 vehicles per day.

At time of site plan review, specific recommendations will be provided regarding internal circulation.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Powhite/Route 288 Development Area Land Use and Transportation Plan which suggests the property is appropriate for light industrial use.

Area Development Trends:

A mix of commercial and agricultural zoning and land uses in the vicinity of the Route 288/Hull Street Road intersection characterizes the area. Commercial and industrial uses are expected to continue in this area, as suggested by the Plan and previous zoning.

Zoning History:

On September 24, 1986, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved rezoning from Agricultural (A) to Light Industrial (M-1) with Conditional Use Planned Development on property, which included the request site. (Case 85S168)

On July 29, 1998, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved rezoning and Conditional Use Planned Development on property which included the request site. (Case 98SN0176)

At that time, commercial zoning existed at the northeast quadrant of Hull Street and Warbro Roads. Because the Plan suggested that the northwest quadrant of Hull Street Road and Route 288 be reserved for future industrial economic development opportunities, there was concern that the ultimate zoning in the area not reduce the amount of available industrial land. As a result, the amount of commercial development ultimately zoned was limited based upon what was already zoned in the area.

Site Design:

With the approval of Case 98SN0176, a Master Plan was submitted which divided the, then subject property into six (6) tracts. The request property lies within an Emerging Growth Area and is located in what was identified as Tract II-B on the approved Master Plan. Development in Tract II-B must conform to the standards of the Zoning Ordinance and conditions of Case 98SN0176 which address access, parking, landscaping, architectural treatment, setbacks, signs, buffers, utilities and screening of dumpsters and loading areas.

Tract II-B

Tract II-B, which is generally located in the northeast quadrant of Routes 288 and 360 was rezoned to Light Industrial (I-1) with Conditional Use Planned Development. Uses permitted on this tract include Light Industrial (I-1) and Community Business (C-3) uses, excluding any multi-family or townhouse residential uses. The location of Community Business (C-3) uses was limited to two (2) out-parcels not to exceed 2.5 acres located in the southeast corner of the tract and any portion of the tract on the east or north side of the "Main Site Road", as depicted on the approved Master Plan. The applicant is proposing to utilize an additional 1.0 acre for commercial uses.

Architectural Treatment:

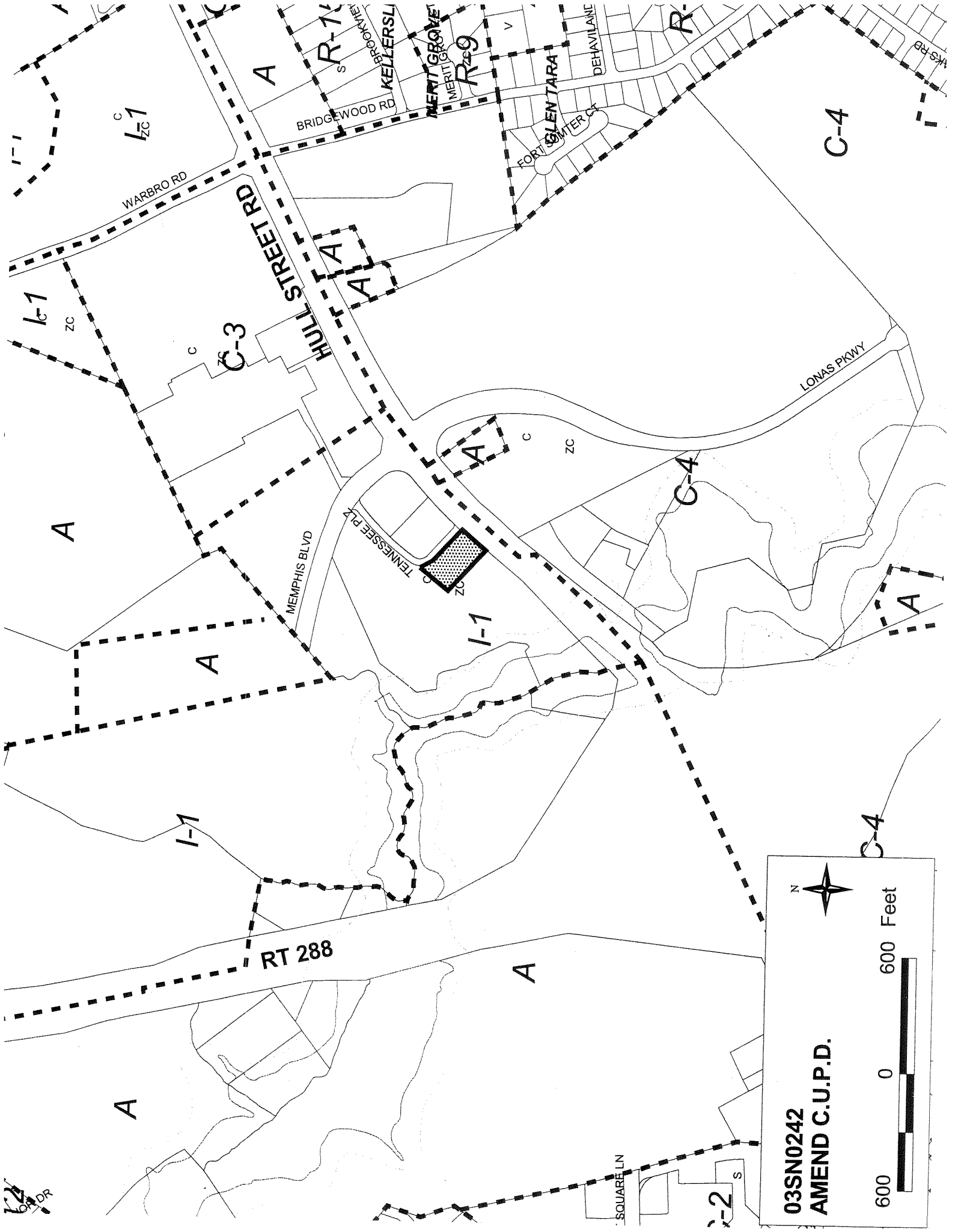
Currently, architectural treatment must conform to Emerging Growth District and Route 360 West standards.

Proffered conditions further require that all buildings be compatible in architectural style, materials, colors and details, which predominate in these portions of the development (Proffered Conditions Applicable to Tracts II-B, III and IV, Proffered Condition 13, Case 98SN0176). In addition, the Ordinance addresses architectural compatibility in the overall project. Any development on the request site would still be bound by these requirements.

CONCLUSIONS

The proposed uses do not comply with the Powhite/Route 288 Development Area Land Use and Transportation Plan which suggests the property is appropriate for light industrial use. In addition, the proposed use is not in conformance with conditions of zoning approval for Case 98SN0176 relative to the location and land area of commercial development along the Hull Street Road frontage of the overall site. As previously noted, when the subject site and surrounding area was zoned in 1998, compromises were reached which resulted in no more commercial development than would have been permitted in the area under the previous zoning. Such actions assured that valuable economic development land would be reserved for future industrial development. This proposal decreases the amount of available industrial land in this quadrant. Approval could set a precedent for further commercial development within Tract II-B which currently is limited to light industrial uses with the exception of 2.5 acres adjacent to the main site access road. Further, approval of this request could set a precedent for additional commercial development along this portion of the Hull Street Road Corridor.

Given these considerations, denial of this request is recommended.

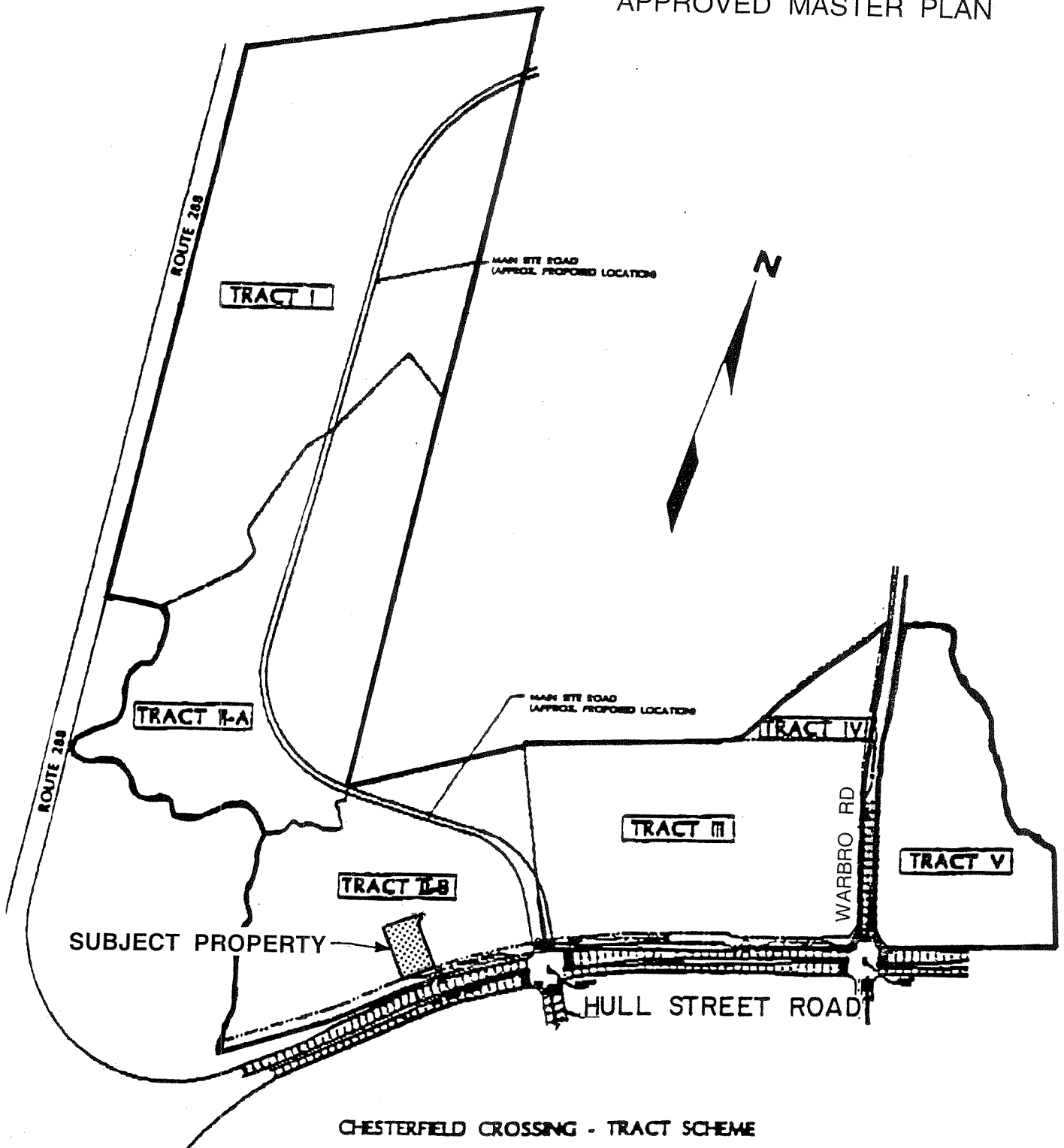


03SN0242

AMEND C.U.P.D.



APPROVED MASTER PLAN



CHESTERFIELD CROSSING - TRACT SCHEME
RICHMOND, VA.